



OCT 14 2004 IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Christopher T. Boyle Attorney Docket: 6006-018  
Application No.: 09/716,146 Examiner: C. Miller  
Filed: 11/17/2000 Art Unit: 3738  
Title: DEVICE FOR IN VIVO DELIVERY OF BIOACTIVE AGENTS AND  
METHOD OF MANUFACTURE THEREOF

**Certificate of First Class Mailing**

I certify that this document (along with any documents referenced as being included herewith) is being deposited on this the 7<sup>th</sup> day of October, 2004, with the United States Postal Service as First Class Mail, postage prepaid, addressed to: Board of Patent Appeals and Interferences, Assistant Commissioner for Patents, Washington, D.C. 20231.

*Lori Dunham*  
Lori Dunham

Board of Patent Appeals and Interferences  
Commissioner of Patents  
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**NOTICE OF APPEAL TO  
BOARD OF PATENT APPEALS AND INTERFERENCES**

Dear Sir:

Applicant hereby appeals the Examiner's decision in the Final Office Action

mailed July 16, 2004. The status of the claims is as follows:

10/25/2004 SBRYCE 00000008 182000 09716146

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340.00 DA

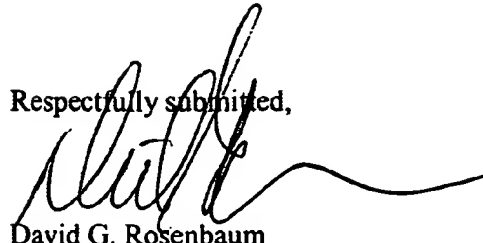
Claims pending: 16, 20, 26-28

Claims finally rejected: 16, 20, 26-28

The Commissioner is hereby authorized to charge the fee of \$330.00 pursuant to 37 CFR §17(b) for an entity other than a small entity to Deposit Account 18-2000. A

duplicate copy of this Paper is being filed. A Notice of Change of Small Entity Status is being filed concurrently herewith.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'David G. Rosenbaum', with a long horizontal flourish extending to the right.

David G. Rosenbaum  
Reg. No. 31,872

October 7, 2004

Customer No. 29,335

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